

**DIAGEO GLOBAL SUPPLY  
RELAY PLANT  
5001 WASHINGTON BLVD.  
BALTIMORE, MARYLAND 21227  
PART 70 OPERATING PERMIT NO. 24-005-0146**

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**SECTION I SOURCE IDENTIFICATION**

**1. DESCRIPTION OF FACILITY**

The Diageo North America, Inc. (Diageo) facility, located in Relay, Baltimore County, blends and packages distilled spirits for consumer use. A variety of beverage materials are processed including grain neutral spirits, rums, and whiskeys. Materials are received by truck and rail and stored in tanks. Processing steps include filtration, blending with other ingredients, and cutting with demineralized water. Finished product streams are dispensed into bottles and packed in cartons for distribution in commerce. Some products are shipped in bulk form to other sites using barrels, totes, railcars, and tank trucks. Most processing activities occur inside one of several buildings. The facility has limited aging operations. Outside activities include temporary storage of empty oak barrels used in aging and several larger product storage tanks.

Diageo Global Supply has operated the Relay plant since December 21, 2001. The previous owner was Seagram Americas. The primary SIC code for this facility is 2085.

**2. FACILITY INVENTORY LIST**

<b>Emissions Unit Number</b>	<b>ARMA Registration Number</b>	<b>Emissions Unit Name and Description</b>	<b>Date of Installation</b>
<b>010</b>	005-0146-5-1740	<b>Boiler No. 1</b> – 25.1 MM BTU/hour Kewanee boiler firing natural gas as the primary fuel with No. 2 fuel oil as back-up <b>Building 52</b>	1986
<b>011</b>	005-0146-5-1739	<b>Boiler No. 2</b> – 12.6 MM BTU/hour Kewanee boiler firing natural gas as the primary fuel with No. 2 fuel oil as back-up <b>Building 52</b>	1986
<b>020</b>	005-0146-8-0308	<b>Warehouse Aging</b> - Rum and whiskey products are stored in oak barrels for aging in <b>Warehouses D, E, G, H, and N</b> <b>(NOTE: Warehouses D and H have not been used for barrel</b>	1937

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<b>Emissions Unit Number</b>	<b>ARMA Registration Number</b>	<b>Emissions Unit Name and Description</b>	<b>Date of Installation</b>
		<b>aging since the mid-1980's and 2000, respectively. Before Warehouses D and H are used for barrel aging, the Permittee must contact the Department to determine the appropriate permitting process.)</b>	
<b>030</b>	(No Reg. No.)	<b>Empty Barrel Storage</b> - Used empty oak barrels are temporarily stored on the grounds outside of <b>Warehouse G and Building 16</b> .	1937
<b>050</b>	(No Reg. No.)	<b>Barrel Emptying</b> - Barrels are transferred from the aging warehouses to <b>Building J</b> where the aged product is recovered for further processing.	1937
<b>060</b>	005-0146-9-1373	<b>Product Filtering</b> - Product is filtered to remove suspended materials. Existing plate and frame filters to be replaced by 16 portable SUPRpak filters. The portable SUPRpak filters are allowed to move within the premises.	<1970, 2009, 2011, 2012
<b>070</b>	005-0146-8-0333	<b>Bottle Filling</b> - Finished alcohol beverage product is dispensed into containers through existing automated filling lines to be replaced by four new bottle fillers ( <b>Building 49</b> ).	1960-2006, 2012
<b>080</b>	(No Reg. No.)	<b>Glues/Adhesives</b> - Hot melt glues and water-based adhesives used to assemble cartons and apply labels to bottles ( <b>Near filling lines</b> ).	1937
<b>100</b>	(No Reg. No.)	<b>Tank Truck and Container Filling</b> - 26,000 gallon railcars, 6000 gallon tank trucks, 350	<1970

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<b>Emissions Unit Number</b>	<b>ARMA Registration Number</b>	<b>Emissions Unit Name and Description</b>	<b>Date of Installation</b>
		gallon totes, and 55 gallon drums are used periodically to transfer beverage alcohol product between buildings or to ship processed products to other facilities ( <b>Building/Tank Farm Locations</b> ).	
<b>110</b>	005-0146-8-0307	<p><b>16 Storage Tanks - Building 11, Bulk/Finished Product Processing Room</b></p> <p>*Nine 15,900 gallon tanks  **Three 10,000-10,400 gallon tanks  **Two 8,400 gallon tanks  **One 4,000 gallon tank  **One 1,000 gallon tank</p> <p>* Atmospheric vent  ** Conservation vent</p> <p>Bulk Product- The term "bulk product" shall mean alcoholic beverages with an alcohol content exceeding 100 proof.  Finished Product- The term "finished product" shall mean alcoholic beverages with alcohol content no greater than 100 proof.</p> <p>Relocation of the existing storage tanks within the premises is not prohibited.</p>	<p>&lt;1970 1991</p> <p>1991 2006 2006</p>
<b>111</b>	005-0146-8-0307	<p><b>9 Storage Tanks - Warehouse M</b></p> <p>*Three 11,300 gallon tanks  **Three 10,000-10,300 gallon tanks  *One 4,300 gallon tank  *One 4,300 gallon tank</p>	<p>&lt;1970 1991</p> <p>1991 1991</p>

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Emissions Unit Number	ARMA Registration Number	Emissions Unit Name and Description	Date of Installation
		<p><b>**One 1,000 gallon tank</b></p> <p>* Atmospheric vent  ** Conservation vent  Relocation of the existing storage tanks within the premises is not prohibited.</p>	2006
<b>112</b>	005-0146-8-0307	<p><b>22 Storage Tanks, 50 Shipping Totes and One Mixing Tank - Building D, Spring Garden Flavor Facility</b></p> <p><b>**One 7,500 gallon tank</b> 1992  <b>**Three 4,300-4,500 gallon tanks</b> 1992  <b>**Two 4,100-4,200 gallon tanks</b> 1995  <b>**One 3,500 gallon tank</b> 1995  <b>**One 2,100 gallon tanks</b> 1992  <b>**One 1,500 gallon tank</b> 1992  <b>**One 1,000 gallon tank</b> 1992  * One 1,000 gallon tank 1992  * Six portable tanks &lt;600 gallons 1992  * 50 portable 350-gallon shipping totes 1992  * 450 gallon mix tank 2000</p> <p>* Atmospheric vent  ** Conservation vent  Relocation of the existing storage tanks within the premises is not prohibited.</p>	
<b>113</b>	005-0146-8-0307	<p><b>23 Storage Tanks - Outdoor Tank Farm</b></p> <p>One 100,000 gallon tank 2001  One 45,000 gallon tank 2001  Two 33,000 gallon tanks 2001  Three 40,000 gallon tanks 1991  Four 10,000 gallon tanks 1991  Two 100,000 gallon tanks 2006  Six 100,000 gallon tanks 2012  All tanks have conservation</p>	

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<b>Emissions Unit Number</b>	<b>ARMA Registration Number</b>	<b>Emissions Unit Name and Description</b>	<b>Date of Installation</b>
	005-0146-8-0334	vents Four 100,000 gallon beverage alcohol storage tanks each equipped with a conservation vent	2007
<b>114</b>	005-0146-8-0307	33 Storage Tanks – <b>Building 50, Bottling Tank Building</b> Six 15,100 gallon tanks Twenty 11,500 gallon tanks One 11,500 gallon tank One 1,100 gallon tank Five 1,000 gallon tanks  All tanks have conservation vents. Relocation of the existing storage tanks within the premises is not prohibited.	1990 1990 1995 1990 1992,2012
<b>115</b>	005-0146-8-0307	24 Storage Tanks – <b>Building 17, Blending Building</b> Four 11,200 gallon tanks Ten 11,200 gallon tanks One 1,900 gallon tank One 575 gallon tank One 1,000 gallon tank Two 3,300-3,600 gallon tanks One 520 gallon tank Three 450 gallon surge tanks One 450 gallon surge tank  The four 11,200 gallon tanks have conservation vents. All other tanks have atmospheric vents. Relocation of the existing storage tanks within the premises is not prohibited.	Tanks installed before 1970  2012  2006  2012
<b>116</b>	005-0146-8-0307	37 Storage Tanks – <b>Building 48, Special Products</b>	

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<b>Emissions Unit Number</b>	<b>ARMA Registration Number</b>	<b>Emissions Unit Name and Description</b>	<b>Date of Installation</b>
		Two 11,700 gallon tanks Four 10,800 – 10,900 gallon tanks Three 7,700-8,200 gallon tanks Thirteen 5,000- 5,600 gallon tanks One 4,200 gallon tank One 1,700 gallon tank Seven 1,100 – 1,200 gallon tanks Six <1,000 gallon tanks  All tanks 1,000 gallons and greater have conservation vents. Relocation of the existing storage tanks within the premises is not prohibited.	1976 1976 1999 1976 1976 1995 1976 1976
<b>117</b>	005-0146-8-0307	3 Storage Tanks – <b>Building B</b> Three 10,800 – 10,900 gallon tanks (All with atmospheric vents)	<1970
<b>118</b>	005-0146-8-0307	4 Storage Tanks – <b>Building J, Bulk Regauge</b> Two 16,500 – 16,600 gallon tanks  Two 230 gallon tanks  All tanks with atmospheric vents	All tanks installed before 1970
<b>119</b>	005-0146-8-0307	1 Storage Tank – <b>Spirits Tank Farm, Spirits Storage Tank No. 6</b> One 500,000 gallon tank equipped with two conservation vents	<1970
<b>120</b>	005-0146-8-0379	One off-spec finished case goods unloading system	2012



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**SECTION II      GENERAL CONDITIONS**

**1.      DEFINITIONS**

**[COMAR 26.11.01.01] and [COMAR 26.11.02.01]**

The words or terms in this Part 70 permit shall have the meanings established under COMAR 26.11.01 and .02 unless otherwise stated in this permit.

Bulk Product- The term “bulk product” shall mean alcoholic beverages with an alcohol content exceeding 100 proof.

Finished Product- The term “finished product” shall mean alcoholic beverages with alcohol content no greater than 100 proof.

**2.      ACRONYMS**

ARMA	Air and Radiation Management Administration
BACT	Best Available Control Technology
Btu	British thermal unit
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CEM	Continuous Emissions Monitor
CFR	Code of Federal Regulations
CO	Carbon Monoxide
COMAR	Code of Maryland Regulations
EPA	United States Environmental Protection Agency
FR	Federal Register
gr	grains
HAP	Hazardous Air Pollutant
MACT	Maximum Achievable Control Technology
MDE	Maryland Department of the Environment
MVAC	Motor Vehicle Air Conditioner
NESHAPS	National Emission Standards for Hazardous Air Pollutants
NO <sub>x</sub>	Nitrogen Oxides
NSPS	New Source Performance Standards
NSR	New Source Review
OTR	Ozone Transport Region
PM	Particulate Matter
PM10	Particulate Matter with Nominal Aerodynamic Diameter of 10 micrometers or less
ppm	parts per million

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ppb	parts per billion
PSD	Prevention of Significant Deterioration
PTC	Permit to construct
PTO	Permit to operate (State)
SIC	Standard Industrial Classification
SO <sub>2</sub>	Sulfur Dioxide
TAP	Toxic Air Pollutant
tpy	tons per year
VE	Visible Emissions
VOC	Volatile Organic Compounds

**3. EFFECTIVE DATE**

The effective date of the conditions in this Part 70 permit is the date of permit issuance, unless otherwise stated in the permit.

**4. PERMIT EXPIRATION**

**[COMAR 26.11.03.13B(2)]**

Upon expiration of this permit, the terms of the permit will automatically continue to remain in effect until a new Part 70 permit is issued for this facility provided that the Permittee has submitted a timely and complete application and has paid applicable fees under COMAR 26.11.02.16.

Otherwise, upon expiration of this permit the right of the Permittee to operate this facility is terminated.

**5. PERMIT RENEWAL**

**[COMAR 26.11.03.02B(3)] and [COMAR 26.11.03.02E]**

The Permittee shall submit to the Department a completed application for renewal of this Part 70 permit at least 12 months before the expiration of the permit. Upon submitting a completed application, the Permittee may continue to operate this facility pending final action by the Department on the renewal.

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall

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submit such supplementary facts or corrected information no later than 10 days after becoming aware that this occurred. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after the date a completed application was submitted, but prior to the release of a draft permit. This information shall be submitted to the Department no later than 20 days after a new requirement has been adopted.

**6. CONFIDENTIAL INFORMATION**

**[COMAR 26.11.02.02G]**

In accordance with the provisions of the State Government Article, Sec. 10-611 et seq., Annotated Code of Maryland, all information submitted in an application shall be considered part of the public record and available for inspection and copying, unless the Permittee claims that the information is confidential when it is submitted to the Department. At the time of the request for inspection or copying, the Department will make a determination with regard to the confidentiality of the information. The Permittee, when requesting confidentiality, shall identify the information in a manner specified by the Department and, when requested by the Department, promptly provide specific reasons supporting the claim of confidentiality. Information submitted to the Department without a request that the information be deemed confidential may be made available to the public. Subject to approval of the Department, the Permittee may provide a summary of confidential information that is suitable for public review. The content of this Part 70 permit is not subject to confidential treatment.

**7. PERMIT ACTIONS**

**[COMAR 26.11.03.06E(3)] and [COMAR 26.11.03.20(A)]**

This Part 70 permit may be revoked or reopened and revised for cause. The filing of an application by the Permittee for a permit revision or renewal; or a notification of termination, planned changes or anticipated noncompliance by the facility, does not stay a term or condition of this permit.

The Department shall reopen and revise, or revoke the Permittee's Part 70 permit under the following circumstances:

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- a. Additional requirements of the Clean Air Act become applicable to this facility and the remaining permit term is 3 years or more;
- b. The Department or the EPA determines that this Part 70 permit contains a material mistake, or is based on false or inaccurate information supplied by or on behalf of the Permittee;
- c. The Department or the EPA determines that this Part 70 permit must be revised or revoked to assure compliance with applicable requirements of the Clean Air Act; or
- d. Additional requirements become applicable to an affected source under the Federal Acid Rain Program.

**8. PERMIT AVAILABILITY**

**[COMAR 26.11.02.13G]**

The Permittee shall maintain this Part 70 permit in the vicinity of the facility for which it was issued, unless it is not practical to do so, and make this permit immediately available to officials of the Department upon request.

**9. REOPENING THE PART 70 PERMIT FOR CAUSE BY THE EPA**

**[COMAR 26.11.03.20B]**

The EPA may terminate, modify, or revoke and reissue a permit for cause as prescribed in 40 CFR §70.7(g)

**10. TRANSFER OF PERMIT**

**[COMAR 26.11.02.02E]**

The Permittee shall not transfer this Part 70 permit except as provided in COMAR 26.11.03.15.

**11. REVISION OF PART 70 PERMITS – GENERAL CONDITIONS**

**[COMAR 26.11.03.14] and [COMAR 26.11.03.06A(8)]**

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- a. The Permittee shall submit an application to the Department to revise this Part 70 permit when required under COMAR 26.11.03.15 -.17.
- b. When applying for a revision to a Part 70 permit, the Permittee shall comply with the requirements of COMAR 26.11.03.02 and .03 except that the application for a revision need include only information listed that is related to the proposed change to the source and revision to the permit. This information shall be sufficient to evaluate the proposed change and to determine whether it will comply with all applicable requirements of the Clean Air Act.
- c. The Permittee may not change any provision of a compliance plan or schedule in a Part 70 permit as an administrative permit amendment or as a minor permit modification unless the change has been approved by the Department in writing.
- d. A permit revision is not required for a change that is provided for in this permit relating to approved economic incentives, marketable permits, emissions trading, and other similar programs.

**12. SIGNIFICANT PART 70 OPERATING PERMIT MODIFICATIONS**

**[COMAR 26.11.03.17]**

The Permittee may apply to the Department to make a significant modification to its Part 70 Permit as provided in COMAR 26.11.03.17 and in accordance with the following conditions:

- a. A significant modification is a revision to the federally enforceable provisions in the permit that does not qualify as an administrative permit amendment under COMAR 26.11.03.15 or a minor permit modification as defined under COMAR 26.11.03.16.
- b. This permit does not preclude the Permittee from making changes, consistent with the provisions of COMAR 26.11.03, that would make the permit or particular terms and conditions of the permit irrelevant, such as by shutting down or reducing the level of operation of a source or of an emissions unit within the source. Air pollution control equipment shall not be shut down or its level of operation reduced if doing so would violate any term of this permit.

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- c. Significant permit modifications are subject to all requirements of COMAR 26.11.03 as they apply to permit issuance and renewal, including the requirements for applications, public participation, and review by affected states and EPA, except:
  - (1) An application need include only information pertaining to the proposed change to the source and modification of this permit, including a description of the change and modification, and any new applicable requirements of the Clean Air Act that will apply if the change occurs;
  - (2) Public participation, and review by affected states and EPA, is limited to only the application and those federally enforceable terms and conditions of the Part 70 permit that are affected by the significant permit modification.
- d. As provided in COMAR 26.11.03.15B(5), an administrative permit amendment may be used to make a change that would otherwise require a significant permit modification if procedures for enhanced preconstruction review of the change are followed that satisfy the requirements of 40 CFR 70.7(d)(1)(v).
- e. Before making a change that qualifies as a significant permit modification, the Permittee shall obtain all permits-to-construct and approvals required by COMAR 26.11.02.
- f. The Permittee shall not make a significant permit modification that results in a violation of any applicable requirement of the Clean Air Act.
- g. The permit shield in COMAR 26.11.03.23 applies to a final significant permit modification that has been issued by the Department, to the extent applicable under COMAR 26.11.03.23.

**13. MINOR PERMIT MODIFICATIONS**

**[COMAR 26.11.03.16]**

The Permittee may apply to the Department to make a minor modification to the federally enforceable provisions of this Part 70 permit as provided in COMAR 26.11.03.16 and in accordance with the following conditions:

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- a. A minor permit modification is a Part 70 permit revision that:
- (1) Does not result in a violation of any applicable requirement of the Clean Air Act;
  - (2) Does not significantly revise existing federally enforceable monitoring, including test methods, reporting, record keeping, or compliance certification requirements except by:
    - (a) Adding new requirements,
    - (b) Eliminating the requirements if they are rendered meaningless because the emissions to which the requirements apply will no longer occur, or
    - (c) Changing from one approved test method for a pollutant and source category to another;
  - (3) Does not require or modify a:
    - (a) Case-by-case determination of a federally enforceable emissions standard,
    - (b) Source specific determination for temporary sources of ambient impacts, or
    - (c) Visibility or increment analysis;
  - (4) Does not seek to establish or modify a federally enforceable permit term or condition for which there is no corresponding underlying applicable requirement of the Clean Air Act, but that the Permittee has assumed to avoid an applicable requirement to which the source would otherwise be subject, including:
    - (a) A federally enforceable emissions standard applied to the source pursuant to COMAR 26.11.02.03 to avoid classification as a Title I modification; and
    - (b) An alternative emissions standard applied to an emissions unit pursuant to regulations promulgated under Section 112(i)(5) of the Clean Air Act
  - (5) Is not a Title I modification; and

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- (6) Is not required under COMAR 26.11.03.17 to be processed as a significant modification to this Part 70 permit.

b. Application for a Minor Permit Modification

The Permittee shall submit to the Department an application for a minor permit modification that satisfies the requirements of COMAR 26.11.03.03 which includes the following:

- (1) A description of the proposed change, the emissions resulting from the change, and any new applicable requirements that will apply if the change is made;
- (2) The proposed minor permit modification;
- (3) Certification by a responsible official, in accordance with COMAR 26.11.02.02F, that:
  - (a) The proposed change meets the criteria for a minor permit modification, and
  - (b) The Permittee has obtained or applied for all required permits-to-construct required by COMAR 26.11.03.16 with respect to the proposed change;
- (4) Completed forms for the Department to use to notify the EPA and affected states, as required by COMAR 26.11.03.07-.12.

c. Permittee's Ability to Make Change

- (1) For changes proposed as minor permit modifications to this permit that will require the applicant to obtain a permit to construct, the permit to construct must be issued prior to the new change.
- (2) During the period of time after the Permittee applies for a minor modification but before the Department acts in accordance with COMAR 26.11.03.16F(2):
  - (a) The Permittee shall comply with applicable requirements of the Clean Air Act related to the change and the permit



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terms and conditions described in the application for the minor modification.

- (b) The Permittee is not required to comply with the terms and conditions in the permit it seeks to modify. If the Permittee fails to comply with the terms and conditions in the application during this time, the terms and conditions of both this permit and the application for modification may be enforced against it.
- d. The Permittee is subject to enforcement action if it is determined at any time that a change made under COMAR 26.11.03.16 is not within the scope of this regulation.
- e. Minor permit modification procedures may be used for Part 70 permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, but only to the extent that the minor permit modification procedures are explicitly provided for in regulations approved by the EPA as part of the Maryland SIP or in other applicable requirements of the Clean Air Act.

**14. ADMINISTRATIVE PART 70 OPERATING PERMIT AMENDMENTS**

**[COMAR 26.11.03.15]**

The Permittee may apply to the department to make an administrative permit amendment as provided in COMAR 26.11.03.15 and in accordance with the following conditions:

- a. An application for an administrative permit amendment shall:
  - (1) Be in writing;
  - (2) Include a statement certified by a responsible official that the proposed amendment meets the criteria in COMAR 26.11.03.15 for an administrative permit amendment, and
  - (3) Identify those provisions of this part 70 permit for which the amendment is requested, including the basis for the request.
- b. An administrative permit amendment:

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- (1) Is a correction of a typographical error;
  - (2) Identifies a change in the name, address, or phone number of a person identified in this permit, or a similar administrative change involving the Permittee or other matters which are not directly related to the control of air pollution;
  - (3) requires more frequent monitoring or reporting by the Permittee;
  - (4) Allows for a change in ownership or operational control of a source for which the Department determines that no other revision to the permit is necessary and is documented as per COMAR 26.11.03.15B(4);
  - (5) Incorporates into this permit the requirements from preconstruction review permits or approvals issued by the Department in accordance with COMAR 26.11.03.15B(5), but only if it satisfies 40 CFR 70.7(d)(1)(v);
  - (6) Incorporates any other type of change, as approved by the EPA, which is similar to those in COMAR 26.11.03.15B(1)—(4);
  - (7) Notwithstanding COMAR 26.11.03.15B(1)—(6), all modifications to acid rain control provisions included in this Part 70 permit are governed by applicable requirements promulgated under Title IV of the Clean Air Act; or
  - (8) Incorporates any change to a term or condition specified as State-only enforceable, if the Permittee has obtained all necessary permits-to-construct and approvals that apply to the change.
- c. The Permittee may make the change addressed in the application for an administrative amendment upon receipt by the Department of the application, if all permits-to-construct or approvals otherwise required by COMAR 26.11.02 prior to making the change have first been obtained from the Department.
- d. The permit shield in COMAR 26.11.03.23 applies to administrative permit amendments made under Section B(5) of COMAR 26.11.03.15 , but only after the Department takes final action to revise the permit.

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- e. The Permittee is subject to enforcement action if it is determined at any time that a change made under COMAR 26.11.03.15 is not within the scope of this regulation.

**15. OFF-PERMIT CHANGES TO THIS SOURCE**

**[COMAR 26.11.03.19]**

The Permittee may make off-permit changes to this facility as provided in COMAR 26.11.03.19 and in accordance with the following conditions:

- a. The Permittee may make a change to this permitted facility that is not addressed or prohibited by the federally enforceable conditions of this Part 70 permit without obtaining a Part 70 permit revision if:
  - (1) The Permittee has obtained all permits and approvals required by COMAR 26.11.02 and .03;
  - (2) The change is not subject to any requirements under Title IV of the Clean Air Act;
  - (3) The change is not a Title I modification; and
  - (4) The change does not violate an applicable requirement of the Clean Air Act or a federally enforceable term or condition of the permit.
- b. For a change that qualifies under COMAR 26.11.03.19, the Permittee shall provide contemporaneous written notice to the Department and the EPA, except for a change to an emissions unit or activity that is exempt from the Part 70 permit application, as provided in COMAR 26.11.03.04. This written notice shall describe the change, including the date it was made, any change in emissions, including the pollutants emitted, and any new applicable requirements of the Clean Air Act that apply as a result of the change.
- c. Upon satisfying the requirements of COMAR 26.11.03.19, the Permittee may make the proposed change.
- d. The Permittee shall keep a record describing:

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- (1) Changes made at the facility that result in emissions of a regulated air pollutant subject to an applicable requirement of the Clean Air Act , but not otherwise regulated under this permit; and
- (2) The emissions resulting from those changes.
- e. Changes that qualify under COMAR 26.11.03.19 are not subject to the requirements for Part 70 revisions.
- f. The Permittee shall include each off-permit change under COMAR 26.11.03.19 in the application for renewal of the part 70 permit.
- g. The permit shield in COMAR 26.11.03.23 does not apply to off-permit changes made under COMAR 26.11.03.19.
- h. The Permittee is subject to enforcement action if it is determined that an off-permit change made under COMAR 26.11.03.19 is not within the scope of this regulation.

**16. ON-PERMIT CHANGES TO SOURCES**

**[COMAR 26.11.03.18]**

The Permittee may make on-permit changes that are allowed under Section 502(b)(10) of the Clean Air Act as provided in COMAR 26.11.03.18 and in accordance with the following conditions:

- a. The Permittee may make a change to this facility without obtaining a revision to this Part 70 permit if:
  - (1) The change is not a Title I modification;
  - (2) The change does not result in emissions in excess of those expressly allowed under the federally enforceable provisions of the Part 70 permit for the permitted facility or for an emissions unit within the facility, whether expressed as a rate of emissions or in terms of total emissions;
  - (3) The Permittee has obtained all permits and approvals required by COMAR 26.11.02 and .03;

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- (4) The change does not violate an applicable requirement of the Clean Air Act;
  - (5) The change does not violate a federally enforceable permit term or condition related to monitoring, including test methods, record keeping, reporting, or compliance certification requirements;
  - (6) The change does not violate a federally enforceable permit term or condition limiting hours of operation, work practices, fuel usage, raw material usage, or production levels if the term or condition has been established to limit emissions allowable under this permit;
  - (7) If applicable, the change does not modify a federally enforceable provision of a compliance plan or schedule in this Part 70 permit unless the Department has approved the change in writing; and
  - (8) This permit does not expressly prohibit the change under COMAR 26.11.03.18.
- b. The Permittee shall notify the Department and the EPA in writing of a proposed on-permit change under COMAR 26.11.03.18 not later than 7 days before the change is made. The written information shall include the following information:
- (1) A description of the proposed change;
  - (2) The date on which the change is proposed to be made;
  - (3) Any change in emissions resulting from the change, including the pollutants emitted;
  - (4) Any new applicable requirement of the Clean Air Act; and
  - (5) Any permit term or condition that would no longer apply.
- c. The responsible official of this facility shall certify in accordance with COMAR 26.11.02.02F that the proposed change meets the criteria for the use of on-permit changes under COMAR 26.11.03.18.
- d. The Permittee shall attach a copy of each notice required by condition b. above to this Part 70 permit.

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- e. On-permit changes that qualify under COMAR 26.11.03.18 are not subject to the requirements for part 70 permit revisions.
- f. Upon satisfying the requirements under COMAR 26.11.03.18, the Permittee may make the proposed change.
- g. The permit shield in COMAR 26.11.03.23 does not apply to on-permit changes under COMAR 26.11.03.18.
- h. The Permittee is subject to enforcement action if it is determined that an on-permit change made under COMAR 26.11.03.18 is not within the scope of the regulation or violates any requirement of the State air pollution control law.

**17. FEE PAYMENT**

**[COMAR 26.11.02.16A(2) & (5)(b)]**

- a. The fee for this Part 70 permit is as prescribed in Regulation .19 of COMAR 26.11.02.
- b. The fee is due on and shall be paid on or before each 12-month anniversary date of the permit.
- c. Failure to pay the annual permit fee constitutes cause for revocation of the permit by the Department.

**18. REQUIREMENTS FOR PERMITS-TO-CONSTRUCT AND APPROVALS**

**[COMAR 26.11.02.09.]**

The Permittee may not construct or modify or cause to be constructed or modified any of the following sources without first obtaining, and having in current effect, the specified permits-to-construct and approvals:

- a. New Source Review source, as defined in COMAR 26.11.01.01, approval required, except for generating stations constructed by electric companies;

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- b. Prevention of Significant Deterioration source, as defined in COMAR 26.11.01.01, approval required, except for generating stations constructed by electric companies;
- c. New Source Performance Standard source, as defined in COMAR 26.11.01.01, permit to construct required, except for generating stations constructed by electric companies;
- d. National Emission Standards for Hazardous Air Pollutants source, as defined in COMAR 26.11.01.01, permit to construct required, except for generating stations constructed by electric companies;
- e. A stationary source of lead that discharges one ton per year or more of lead or lead compounds measured as elemental lead, permit to construct required, except for generating stations constructed by electric companies;
- f. All stationary sources of air pollution, including installations and air pollution control equipment, except as listed in COMAR 26.11.02.10, permit to construct required;
- g. In the event of a conflict between the applicability of (a.— e.) above and an exemption listed in COMAR 26.11.02.10, the provision that requires a permit applies.
- h. Approval of a PSD or NSR source by the Department does not relieve the Permittee obtaining an approval from also obtaining all permits-to-construct required b y (c.— g.) above.

**19. CONSOLIDATION OF PROCEDURES FOR PUBLIC PARTICIPATION**

**[COMAR 26.11.02.11C] and [COMAR 26.11.03.01K]**

The Permittee may request the Department to authorize special procedures for the Permittee to apply simultaneously, to the extent possible, for a permit to construct and a revision to this permit.

These procedures may provide for combined public notices, informational meetings, and public hearings for both permits but shall not adversely affect the rights of a person, including EPA and affected states, to obtain information about the application for a permit, to comment on an application, or to challenge a permit that is issued.

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These procedures shall not alter any existing permit procedures or time frames.

**20. PROPERTY RIGHTS**

**[COMAR 26.11.03.06E(4)]**

This Part 70 permit does not convey any property rights of any sort, or any exclusive privileges.

**21. SEVERABILITY**

**[COMAR 26.11.03.06A(5)]**

If any portion of this Part 70 permit is challenged, or any term or condition deemed unenforceable, the remainder of the requirements of the permit continues to be valid.

**22. INSPECTION AND ENTRY**

**[COMAR 26.11.03.06G(3)]**

The Permittee shall allow employees and authorized representatives of the Department, the EPA, and local environmental health agencies, upon presentation of credentials or other documents as may be required by law, to:

- a. Enter at a reasonable time without delay and without prior notification the Permittee's property where a Part 70 source is located, emissions-related activity is conducted, or records required by this permit are kept;
- b. Have access to and make copies of records required by the permit;
- c. Inspect all emissions units within the facility subject to the permit and all related monitoring systems, air pollution control equipment, and practices or operations regulated or required by the permit; and



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- d. Sample or monitor any substances or parameters at or related to the emissions units at the facility for the purpose of determining compliance with the permit.

**23. DUTY TO PROVIDE INFORMATION**

**[COMAR 26.11.03.06E(5)]**

The Permittee shall furnish to the Department, within a reasonable time specified by the Department, information requested in writing by the Department in order to determine whether the Permittee is in compliance with the federally enforceable conditions of this Part 70 permit, or whether cause exists for revising or revoking the permit. Upon request, the Permittee shall also furnish to the Department records required to be kept under the permit.

For information claimed by the Permittee to be confidential and therefore potentially not discloseable to the public, the Department may require the Permittee to provide a copy of the records directly to the EPA along with a claim of confidentiality.

The Permittee shall also furnish to the Department, within a reasonable time specified by the Department, information or records requested in writing by the Department in order to determine if the Permittee is in compliance with the State-only enforceable conditions of this permit.

**24. COMPLIANCE REQUIREMENTS**

**[COMAR 26.11.03.06E(1)] and [COMAR 26.11.03.06A(11)] and [COMAR 26.11.02.05]**

The Permittee shall comply with the conditions of this Part 70 permit. Noncompliance with the permit constitutes a violation of the Clean Air Act, and/or the Environment Article Title 2 of the Annotated Code of Maryland and may subject the Permittee to:

- a. Enforcement action,
- b. Permit revocation or revision,
- c. Denial of the renewal of a Part 70 permit, or

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d. Any combination of these actions.

The conditions in this Part 70 permit are enforceable by EPA and citizens under the Clean Air Act except for the State-only enforceable conditions.

Under Environment Article Section 2-609, Annotated Code of Maryland, the Department may seek immediate injunctive relief against a person who violates this permit in such a manner as to cause a threat to human health or the environment.

**25. CREDIBLE EVIDENCE**

Nothing in this permit shall be interpreted to preclude the use of credible evidence to demonstrate noncompliance with any term of this permit.

**26. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE**

**[COMAR 26.11.03.06E(2)]**

The need to halt or reduce activity in order to comply with the conditions of this permit may not be used as a defense in an enforcement action.

**27. CIRCUMVENTION**

**[COMAR 26.11.01.06]**

The Permittee may not install or use any article, machine, equipment or other contrivance, the use of which, without resulting in a reduction in the total weight of emissions, conceals or dilutes emissions which would otherwise constitute a violation of any applicable air pollution control regulation.

**28. PERMIT SHIELD**

**[COMAR 26.11.03.23]**

A permit shield as described in COMAR 26.11.03.23 shall apply only to terms and conditions in this Part 70 permit that have been specifically

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identified as covered by the permit shield. Neither this permit nor COMAR 26.11.03.23 alters the following:

- a. The emergency order provisions in Section 303 of the Clean Air Act, including the authority of EPA under that section;
- b. The liability of the Permittee for a violation of an applicable requirement of the Clean Air Act before or when this permit is issued or for a violation that continues after issuance;
- c. The requirements of the Acid Rain Program, consistent with Section 408(a) of the Clean Air Act;
- d. The ability of the Department or EPA to obtain information from a source pursuant to Maryland law and Section 114 of the Clean Air Act; or
- e. The authority of the Department to enforce an applicable requirement of the State air pollution control law that is not an applicable requirement of the Clean Air Act.

**29. ALTERNATE OPERATING SCENARIOS**

**[COMAR 26.11.03.06A(9)]**

For all alternate operating scenarios approved by the Department and contained within this permit, the Permittee, while changing from one approved scenario to another, shall contemporaneously record in a log maintained at the facility each scenario under which the emissions unit is operating and the date and time the scenario started and ended.

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**SECTION III PLANT WIDE CONDITIONS**

**1. PARTICULATE MATTER FROM CONSTRUCTION AND DEMOLITION**

**[COMAR 26.11.06.03D]**

The Permittee shall not cause or permit any building, its appurtenances, or a road to be used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne.

**2. OPEN BURNING**

**[COMAR 26.11.07]**

Except as provided in COMAR 26.11.07.04, the Permittee shall not cause or permit an open fire from June 1 through August 31 of any calendar year. Prior to any open burning, the Permittee shall request and receive approval from the Department.

**3. AIR POLLUTION EPISODE**

**[COMAR 26.11.05.04]**

When requested by the Department, the Permittee shall prepare in writing standby emissions reduction plans, consistent with good industrial practice and safe operating procedures, for reducing emissions creating air pollution during periods of Alert, Warning, and Emergency of an air pollution episode.

**4. REPORT OF EXCESS EMISSIONS AND DEVIATIONS**

**[COMAR 26.11.01.07] and [COMAR 26.11.03.06C(7)]**

The Permittee shall comply with the following conditions for occurrences of excess emissions and deviations from requirements of this permit, including those in Section VI – State-only Enforceable Conditions:

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- a. Report any deviation from permit requirements that could endanger human health or the environment, by orally notifying the Department immediately upon discovery of the deviation;
- b. Promptly report all occurrences of excess emissions that are expected to last for one hour or longer by orally notifying the Department of the onset and termination of the occurrence;
- c. When requested by the Department the Permittee shall report all deviations from permit conditions, including those attributed to malfunctions as defined in COMAR 26.11.01.07A, within 5 days of the request by submitting a written description of the deviation to the Department. The written report shall include the cause, dates and times of the onset and termination of the deviation, and an account of all actions planned or taken to reduce, eliminate, and prevent recurrence of the deviation;
- d. The Permittee shall submit to the Department semi-annual monitoring reports that confirm that all required monitoring was performed, and that provide accounts of all deviations from permit requirements that occurred during the reporting periods. Reporting periods shall be January 1 through June 30 and July 1 through December 31, and reports shall be submitted within 30 days of the end of each reporting period. Each account of deviation shall include a description of the deviation, the dates and times of onset and termination, identification of the person who observed or discovered the deviation, causes and corrective actions taken, and actions taken to prevent recurrence. If no deviations from permit conditions occurred during a reporting period, the Permittee shall submit a written report that so states.
- e. When requested by the Department, the Permittee shall submit a written report to the Department within 10 days of receiving the request concerning an occurrence of excess emissions. The report shall contain the information required in COMAR 26.11.01.07D(2).

**5. ACCIDENTAL RELEASE PROVISIONS**

**[COMAR 26.11.03.03B(23)] and [40 CFR 68]**

Should the Permittee become subject to 40 CFR 68 during the term of this permit, the Permittee shall submit risk management plans by the date

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specified in 40 CFR 68.150 and shall certify compliance with the requirements of 40 CFR 68 as part of the annual compliance certification as required by 40 CFR 70.

The Permittee shall initiate a permit revision or reopening according to the procedures of 40 CFR 70.7 to incorporate appropriate permit conditions into the Permittee's Part 70 permit.

**6. GENERAL TESTING REQUIREMENTS**

**[COMAR 26.11.01.04]**

The Department may require the Permittee to conduct, or have conducted, testing to determine compliance with this Part 70 permit. The Department, at its option, may witness or conduct these tests. This testing shall be done at a reasonable time, and all information gathered during a testing operation shall be provided to the Department.

**7. EMISSIONS TEST METHODS**

**[COMAR 26.11.01.04]**

Compliance with the emissions standards and limitations in this Part 70 permit shall be determined by the test methods designated and described below or other test methods submitted to and approved by the Department.

Reference documents of the test methods approved by the Department include the following:

- a. 40 CFR 60, appendix A
- b. 40 CFR 51, appendix M
- c. The Department's Technical Memorandum 91-01 "Test Methods and Equipment Specifications for Stationary Sources", (January 1991), as amended through Supplement 3, (October 1, 1997)

**8. EMISSIONS CERTIFICATION REPORT**

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**[COMAR 26.11.01.05-1] and [COMAR 26.11.02.19C] and  
[COMAR 26.11.02.19D]**

The Permittee shall certify actual annual emissions of regulated pollutants from the facility on a calendar year basis.

- a. The certification shall be on forms obtained from the Department and submitted to the Department not later than April 1 of the year following the year for which the certification is required;
- b. The individual making the certification shall certify that the information is accurate to the individual's best knowledge. The individual shall be:
  - (1) Familiar with each source for which the certifications forms are submitted, and
  - (2) Responsible for the accuracy of the emissions information;
- c. The Permittee shall maintain records necessary to support the emissions certification including the following information if applicable:
  - (1) The total amount of actual emissions of each regulated pollutant and the total of all regulated pollutants;
  - (2) An explanation of the methods used to quantify the emissions and the operating schedules and production data that were used to determine emissions, including significant assumptions made;
  - (3) Amounts, types and analyses of all fuels used;
  - (4) Emissions data from continuous emissions monitors that are required by this permit, including monitor calibration and malfunction information;
  - (5) Identification, description, and use records of all air pollution control equipment and compliance monitoring equipment including:
    - (a) Significant maintenance performed,
    - (b) Malfunctions and downtime, and

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- (c) Episodes of reduced efficiency of all equipment;
- (6) Limitations on source operation or any work practice standards that significantly affect emissions; and
- (7) Other relevant information as required by the Department.

**9. COMPLIANCE CERTIFICATION REPORT**

**[COMAR 26.11.03.06G(6) and (7)]**

The Permittee shall submit to the Department and EPA Region III a report certifying compliance with each term of this Part 70 permit including each applicable standard, emissions limitation, and work practice for the previous calendar year by April 1 of each year.

- a. The compliance certification shall include:
  - (1) The identification of each term or condition of this permit which is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether the compliance was continuous or intermittent;
  - (4) The methods used for determining the compliance status of each source, currently and over the reporting period; and
  - (5) Any other information required to be reported to the Department that is necessary to determine the compliance status of the Permittee with this permit.
- b. The Permittee shall submit the compliance certification reports to the Department and EPA simultaneously.

**10. CERTIFICATION BY RESPONSIBLE OFFICIAL**

**[COMAR 26.11.02.02F]**

All application forms, reports, and compliance certifications submitted pursuant to this permit shall be certified by a responsible official as to



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truth, accuracy, and completeness. The Permittee shall expeditiously notify the Department of an appointment of a new responsible official.

The certification shall be in the following form:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

**11. SAMPLING AND EMISSIONS TESTING RECORD KEEPING**

**[COMAR 26.11.03.06C(5)]**

The Permittee shall gather and retain the following information when sampling and testing for compliance demonstrations:

- a. The location as specified in this permit, and the date and time that samples and measurements are taken;
- b. All pertinent operating conditions existing at the time that samples and measurements are taken;
- c. The date that each analysis of a sample or emissions test is performed and the name of the person taking the sample or performing the emissions test;
- d. The identity of the Permittee, individual, or other entity that performed the analysis;
- e. The analytical techniques and methods used; and
- f. The results of each analysis.

**12. GENERAL RECORDKEEPING**

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**[COMAR 26.11.03.06C(6)]**

The Permittee shall retain records of all monitoring data and information that support the compliance certification for a period of five (5) years from the date that the monitoring, sample measurement, application, report or emissions test was completed or submitted to the Department.

These records and support information shall include:

- a. All calibration and maintenance records;
- b. All original data collected from continuous monitoring instrumentation;
- c. Records which support the annual emissions certification; and
- d. Copies of all reports required by this permit.

**13. GENERAL CONFORMITY**

**[COMAR 26.11.26.09]**

The Permittee shall comply with the general conformity requirements of 40 CFR 93, Subpart B and COMAR 26.11.26.09.

**14. ASBESTOS PROVISIONS**

**[40 CFR 61, Subpart M]**

The Permittee shall comply with 40 CFR 61, Subpart M when conducting any renovation or demolition activities at the facility.

**15. OZONE DEPLETING REGULATIONS**

**[40 CFR 82, Subpart F]**

The Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for MVACs in subpart B:

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- a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the prohibitions and required practices pursuant to 40 CFR 82.154 and 82.156.
- b. Equipment used during the maintenance, service, repair or disposal of appliances shall comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- c. Persons performing maintenance, service, repairs or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
- d. Persons performing maintenance, service, repairs or disposal of appliances shall certify with the Administrator pursuant to 40 CFR 82.162.
- e. Persons disposing of small appliances, MVACS, and MVAC-like appliances as defined in 40 CFR 82.152, shall comply with record keeping requirements pursuant to 40 CFR 82.166.
- f. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
- g. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

**16. ACID RAIN PERMIT**

The Diageo facility is not subject to Title IV requirements.

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**SECTION IV PLANT SPECIFIC CONDITIONS**

This section provides tables that include the emissions standards, emissions limitations, and work practices applicable to each emissions unit located at this facility. The Permittee shall comply with all applicable emissions standards, emissions limitations and work practices included herein.

The tables also include testing, monitoring, record keeping and reporting requirements specific to each emissions unit. In addition to the requirements included here in **Section IV**, the Permittee is also subject to the general testing, monitoring, record keeping and reporting requirements included in **Section III – Plant Wide Conditions** of this permit.

Unless otherwise provided in the specific requirements for an emissions unit, the Permittee shall maintain at the facility for at least five (5) years, and shall make available to the Department upon request, all records that the Permittee is required under this section to establish. [Authority: COMAR 26.11.03.06C(5)(g)]

Table IV – 1	
1.0	<b><u>Emissions Unit Number(s)</u></b> Emission Units 010 (Reg. No. 5-1740) and 011 (Reg. No. 5-01739) – Two Kewanee boiler rated at 12.6 and 25.1 MM BTU/hour firing natural gas with No. 2 fuel oil as back-up fuel during natural gas supply interruptions.
1.1	<b><u>Applicable Standards/Limits:</u></b>  A. <u>Visible Emissions</u>  <b>COMAR 26.11.09.05A(2)</b> - The Permittee shall not cause or permit the discharge of emissions from any fuel burning equipment, other than water in an unconfined form, which is visible to human observers.  <u>Exceptions</u> “Section A (1) and (2) does not apply to emissions during load changing, soot blowing, startup, or occasional cleaning of control equipment if:  (1) The visible emissions are not greater than 40 percent opacity; and (2) The visible emissions do not occur for more than 6 consecutive minutes in any sixty-minute period. <b>[COMAR 26.11.09.05A(3)]</b>

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	<p><b>B. <u>Sulfur Emissions</u></b></p> <p><b>COMAR 26.11.09.07A(2)(b)</b> - The Permittee shall not burn, sell, or make available for sale any distillate fuel with sulfur content by weight by excess of 0.3 percent.</p> <p><b>C. <u>Operational Limitation</u></b></p> <p>The Permittee shall burn only natural gas or No. 2 fuel oil only during periods of gas curtailment, gas supply emergencies, or periodic testing on No. 2 fuel oil (not to exceed 48 hours during any calendar year) in the two (2) boilers unless the Permittee applies for and receives an approval or permit from the Department to burn alternate fuels.</p> <p>A natural gas curtailment or supply interruption means any period during which the supply of natural gas to the affected facility is halted for reasons beyond the control of the facility. The act of entering into a contractual agreement with a supplier of natural gas established for curtailment purposes does not constitute a reason that is under the control of a facility for the purposes of this definition. An increase in the cost or unit price of natural gas does not constitute a period of natural gas curtailment or interruption. [40 CFR §63.11237]</p> <p>If the Permittee wishes to burn No. 2 fuel oil in any of the two boilers at any other times other than allowed of this permit, the Permittee shall apply for and receives an approval or permit from the Department and comply with the requirements of 40 CFR 63, Subpart JJJJJJ. [40 CFR §63.11195(e)]</p>
<b>1.2</b>	<p><b><u>Testing Requirements:</u></b></p> <p>A. <u>Visible Emissions</u>- See monitoring, record keeping, and reporting requirements.</p> <p>B. <u>Sulfur Emissions</u>- See record keeping and reporting requirements.</p> <p>C. <u>Operational Limitation</u>- See record keeping and reporting requirements.</p>

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<b>Table IV – 1</b>	
<b>1.3</b>	<p><b><u>Monitoring Requirements:</u></b></p> <p>A. <u>Visible Emissions</u></p> <p>The Permittee shall:</p> <ol style="list-style-type: none"> <li>(1) Properly operate and maintain the boilers in accordance with the operations training manual and preventive maintenance plan.</li> <li>(2) Verify no visible emissions when burning #2 fuel oil. An observer is required to perform a visual observation of stack exhaust gases to look for visible emissions for a 12 minute period once for each 168 hours that the boiler burns oil. If a boiler does not burn oil for more than 100 hours in a calendar year, this visible emission observation requirement is waived.</li> <li>(3) Perform the following, if visible emissions are visible to human observer: <ol style="list-style-type: none"> <li>i. Inspect combustion control system and the boiler's operations;</li> <li>ii. Perform all necessary adjustments and /or repairs to the boiler within 48 hours, so that visible emissions are eliminated;</li> <li>iii. Document in writing the results of the inspections;</li> <li>iv. After 48 hours, if the required adjustments and/or repairs have not eliminated the visible emissions, take additional remedial actions and continue to perform a Method 9 observation once daily for 18 minutes until corrective action has eliminated the visible emissions.</li> </ol> </li> </ol> <p style="text-align: center;"><b>[COMAR 26.11.03.06C]</b></p> <p>B. <u>Sulfur Emissions</u>- See record keeping and reporting requirements.</p> <p>C. <u>Operational Limitation</u>- See record keeping and reporting requirements.</p>
<b>1.4</b>	<p><b><u>Record Keeping Requirements:</u></b></p> <p>A. <u>Visible Emissions</u></p> <p>The Permittee shall:</p> <ol style="list-style-type: none"> <li>(1) Maintain an operations manual and preventive maintenance plan on site;</li> <li>(2) Maintain a record of the maintenance performed that relates to combustion performance; and</li> <li>(3) Maintain a log of all visible emissions observations performed for at</li> </ol>

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	<p>least five years and make it available to the Department upon request. <b>[COMAR 26.11.03.06C]</b></p> <p><b>B. <u>Sulfur Emissions</u></b></p> <p>The Permittee shall maintain records of fuel supplier certifications for each shipment of fuel received. The fuel supplier certifications shall include the name of the supplier and a certified statement from the supplier that the oil complies with 0.3% of less by weight sulfur content limitation. <b>[COMAR 26.11.03.06C]</b></p> <p><b>C. <u>Operational Limitation</u></b></p> <p>The Permittee shall keep annual records of the hours of operation that the boilers burned fuel oil, the amount of fuel oil burned each year, and documentation demonstrating that the fuel oil was burned only as a back up fuel during gas curtailment, gas supply emergency, or periodic testing, as allowed under the operational limitation. <b>[COMAR 26.11.03.06C]</b></p>
<b>1.5</b>	<p><b><u>Reporting Requirements:</u></b></p> <p>A, B, and C.</p> <p>The Permittee shall report incidences of excess emissions in accordance with permit condition 4, Section III, Plant Wide Conditions, "Report of Excess Emissions and Deviations". <b>[Authority: COMAR 26.11.03.06C]</b></p>

**A permit shield shall cover the applicable requirements of the Clean Air Act that are listed in the table above for Emissions Unit Nos. 0010 and 0011.**

<b>Table IV – 2</b>	
<b>2.0</b>	<p><b><u>Emissions Unit Number(s)</u></b></p> <p>All Other Emission Units Except Emission Units 010 and 011:  Emission Unit 020 – Warehouse Aging  Emission Unit 030 – Empty Barrel Storage  Emission Unit 050 – Barrel Emptying  Emission Unit 060 – Product Filtering  Emission Unit 070 – Bottle Filling</p>

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<b>Table IV – 2</b>	
	<p>Emission Unit 080 – Glues/Adhesives  Emission Unit 090 – Printing Inks  Emission Unit 100 – Tank Truck and Container Filling  Emission Units 110 to 119 – Storage  Emission Unit 120 – Off-spec Finished Case Goods Unloading</p>
<b>2.1</b>	<p><b><u>Applicable Standards/Limits:</u></b></p> <p>A. Control of Volatile Organic Compounds - Distilled Spirits Facilities</p> <p>COMAR 26.11.19.29C(1)(a) which requires that the Permittee empty barrels using a pump-operated, bayonet type suction device, or comparable effective device that minimizes VOC evaporative losses when emptying barrels. This requirement applies to <b>Emission Unit 050 – Barrel Emptying.</b></p> <p>COMAR 26.11.19.29C(1)(b) which requires that the Permittee drain distilled spirits from filter plates that are located between the barrel unloading and storage tanks to either a recycling tank or to an enclosed collection system. This requirement applies to all plate and frame filters associated with <b>Emission Unit 060 – Product Filtering.</b></p> <p>COMAR 26.11.19.29C(1)(c) which requires that the Permittee use a gravity and vacuum or pressure filling system or comparable effective system to minimize fugitive emissions from the bottling operations. This requirement applies to <b>Emission Unit 070 – Bottle Filling.</b></p> <p>COMAR 26.11.19.29C(2) which requires that the Permittee, during warmer weather, periodically wet (at least weekly) used barrels that are stored in the outdoors awaiting disposal to reduce potential leakage and fugitive emissions. This requirement applies to <b>Emission Unit 030 – Empty Barrel Storage.</b></p> <p>COMAR 26.11.19.29D which requires that that Permittee develop, maintain, and implement a good operating practices manual to minimize fugitive VOC emissions from distilled spirits facilities. This requirement applies to <b>all other fugitive emission</b> sources at the premises except Emission Units, 010, 011.</p>



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	<p>B. Control of Volatile Organic Compounds – Leak Detection and Repair Requirements</p> <p>COMAR 26.11.19.16 which requires the Permittee to control VOC equipment leaks from equipment which has the potential to leak VOC, including process equipment, storage tanks, pumps, compressors, valves, flanges, and other pipeline fittings, pressure relief valves, process drains, and open-ended pipes. This requirement applies to <b>all emission units except Emission Units 010 and 011</b>.</p> <p>C. Operational Limitations for Emission Unit 110 – Storage Tanks</p> <p>The Permittee:</p> <ol style="list-style-type: none"> <li>(1) May not load finished products to trucks from the ECF Building;</li> <li>(2) Shall convert Tank CA-1 in Rum processing from finished product storage to non-VOC storage;</li> <li>(3) Shall not operate the basement tanks of Building 17, shall use mechanical agitators only, and shall use Tanks 123 and 125 in Building 17 for water storage only;</li> <li>(4) Shall not blend bulk product in Tanks 118 and 120 in Building 17; and</li> <li>(5) Between the issue date of above referenced permit-to-construct (July 29, 2011) and completion of the activities authorized in the permit-to-construct, the Permittee shall permanently remove barrels of bulk product aging from the barrel warehouses that would result in a decrease in VOC emissions equivalent to any VOC emissions increase resulting from the activities authorized by the permit-to-construct.</li> </ol> <p><b>[Authority: Permit to Construct Nos. 005-0146-8-0307, 8-0308, 8-0309, 8-0333, 8-0334, and 9-1373 issued on July 29, 2011]</b></p>
<b>2.2</b>	<p><b><u>Testing Requirements:</u></b></p> <p>A and B. See monitoring, record keeping, and reporting requirements.</p> <p>C. See reporting requirements.</p>
<b>2.3</b>	<p><b><u>Monitoring Requirements:</u></b></p> <p>A. Control of Volatile Organic Compounds - Distilled Spirits Facilities</p> <p>The Permittee shall perform a weekly inspection of each emissions unit</p>

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to verify that the required procedures are being used and shall record the results of the inspections in a logbook (**Reference: COMAR 26.11.03.06C**).

**Fugitive emission sources**, the Permittee shall (**Reference: COMAR 26.11.19.29D**):

- (1) inspect all empty barrels for mechanical integrity, cracked staves, dished heads, missing hoops and evidence of prior leakage;
- (2) discard failing barrels;
- (3) keep, in a logbook, a record of the number of barrels failing the inspection;
- (4) inspect all barrels as they are filled;
- (5) repair or empty and discard any leaking barrel identified;
- (6) place non-leaking barrels on pallets that are designed to provide stability to the barrels during transfer to and from the warehouse storage areas; and
- (7) keep a record of inspections in a logbook.

**B. Control of Volatile Organic Compounds – Leak Detection and Repair Requirements**

The Permittee shall:

- (1) Visually inspect all components on the premises for leaks at least once each calendar month;
- (2) Tag any leak immediately so that the tag is clearly visible. The tag shall be made of a material that will withstand any weather or corrosive conditions to which it may be normally exposed. The tag shall bear an identification number, the date the leak was discovered, and the name of the person who discovered the leak. The tag shall remain in place until the leak has been repaired;
- (3) Take immediate action to repair all observed VOC leaks that can be repaired within 48 hours;
- (4) Repair all other leaking components not later than 15 days after the leak is discovered. If a replacement part is needed, the part shall be ordered within 3 days after discovery of the leak, and the leak shall be repaired within 48 hours after receiving the part; and

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	<p>(5) Maintain a supply of components or component parts that are recognized by the source to wear or corrode, or that otherwise need to be routinely replaced,  <b>[COMAR 26.11.19.16C]</b></p> <p>C. Operational Limitations for Emission Unit 110 – Storage Tanks  See reporting requirements.</p>
<b>2.4</b>	<p><b><u>Record Keeping Requirements:</u></b></p> <p>A. Control of Volatile Organic Compounds - Distilled Spirits Facilities  Records of all inspections including the date and results of each inspection and a copy of the most recently updated GOP Manual shall be kept on-site.</p> <p>B. Control of Volatile Organic Compounds – Leak Detection and Repair Requirements</p> <p>The Permittee shall maintain a log that includes the name of the person conducting the inspection and the date on which leak inspections are made, the findings of the inspection, and a list of leaks by tag identification number. The log shall be made available to the Department upon request. Leak records shall be maintained for a period of not less than 2 years from the date of their occurrence.  <b>[COMAR 26.11.19.16C(6)]</b></p> <p>C. Operational Limitations for Emission Unit 110 – Storage Tanks  See reporting requirements.</p>
<b>2.5</b>	<p><b><u>Reporting Requirements:</u></b></p> <p>A, B, and C.</p> <p>The Permittee shall report incidences of excess emissions in accordance with permit condition 4, Section III, Plant Wide Conditions, “Report of Excess Emissions and Deviations”. <b>[Authority: COMAR 26.11.03.06C]</b></p>

**A permit shield shall cover the applicable requirements of the Clean Air Act that are listed in the table above for all Emissions Units except for 0010 and 0011.**

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**SECTION V      INSIGNIFICANT ACTIVITIES**

This section provides a list of insignificant emissions units that were reported in the Title V permit application. The applicable Clean Air Act requirements, if any, are listed below the insignificant activity.

- (1) No. 2      Stationary internal combustion engines (diesel fire pumps) with an output less than 500 brake horsepower (373 kilowatts) and which are not used to generate electricity for sale or for peak or load shaving;

The diesel pump engines are subject to the following requirements:

- (A) COMAR 26.11.09.05E(2), Emissions During Idle Mode: The Permittee may not cause or permit the discharge of emissions from any engine, operating at idle, greater than 10 percent opacity.
- (B) COMAR 26.11.09.05E(3), Emissions During Operating Mode: The Permittee may not cause or permit the discharge of emissions from any engine, operating at other than idle conditions, greater than 40 percent opacity.
- (C) Exceptions:
  - (i) COMAR 26.11.09.05E(2) does not apply for a period of 2 consecutive minutes after a period of idling of 15 consecutive minutes for the purpose of clearing the exhaust system.
  - (ii) COMAR 26.11.09.05E(2) does not apply to emissions resulting directly from cold engine start-up and warm-up for the following maximum periods:
    - (a) Engines that are idled continuously when not in service: 30 minutes
    - (b) all other engines: 15 minutes.
  - (iii) COMAR 26.11.09.05E(2) & (3) do not apply while maintenance, repair or testing is being performed by qualified mechanics.

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- (D) COMAR 26.11.36.03A(1), which establishes that the Permittee may not operate an emergency generator except for emergencies, testing and maintenance purposes.
- (E) COMAR 26.11.36.03A(5), which establishes that the Permittee may not operate an emergency generator for testing and engine maintenance purposes between 12:01 a.m. and 2:00 p.m. on any day on which the Department forecasts that the air quality will be a code orange, code red, or code purple unless the engine fails a test and engine maintenance and a re-test are necessary.
- (F) By May 3, 2013, the Permittee shall comply with the requirement of 40CFR63 Subpart ZZZZ for the Reciprocating Internal Combustion Engines (RICE).

- (2) ✓ Space heaters utilizing direct heat transfer and used solely for comfort heat;
- (3) ✓ Water cooling towers and water cooling ponds unless used for evaporative cooling of water from barometric jets or barometric condensers, or used in conjunction with an installation requiring a permit to operate;
- (4) No. 1000 Unheated VOC dispensing containers or unheated VOC rinsing containers of 60 gallons (227 liters) capacity or less;

The degreasers are subject to COMAR 26.11.19.09D, which requires that the Permittee control emissions of volatile organic compounds (VOC) from cold degreasing operations by meeting the following requirements:

- (a) COMAR 26.11.19.09D(2)(b), which establishes that the Permittee shall not use any VOC degreasing material that exceeds a vapor pressure of 1 mm Hg at 20 ° C;
- (b) COMAR 26.11.19.09D(3)(a—d), which requires that the Permittee implement good operating practices designed to minimize spills and evaporation of VOC degreasing material. These practices, which shall be established in writing and displayed such that they are clearly visible to operators, shall include covers (including water covers),

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lids, or other methods of minimizing evaporative losses, and reducing the time and frequency during which parts are cleaned;

- (c) COMAR 26.11.19.09D(4), which prohibits the use of any halogenated VOC for cold degreasing.

The Permittee shall maintain on site for at least five (5) years, and shall make available to the Department upon request, the following records of operating data:

- (a) Monthly records of the total VOC degreasing materials used; and
- (b) Written descriptions of good operating practices designed to minimize spills and evaporation of VOC degreasing materials.
- (5) ✓ Equipment for drilling, carving, cutting, routing, turning, sawing, planing, spindle sanding, or disc sanding of wood or wood products;
- (6) ✓ Brazing, soldering, or welding equipment, and cutting torches related to manufacturing and construction activities that emit HAP metals and not directly related to plant maintenance, upkeep and repair or maintenance shop activities;
- (7) ✓ Containers, reservoirs, or tanks used exclusively for electrolytic plating work, or electrolytic polishing, or electrolytic stripping of brass, bronze, cadmium, copper, iron, lead, nickel, tin, zinc, and precious metals;
- (8) Containers, reservoirs, or tanks used exclusively for:
- (a) ✓ Storage of butane, propane, or liquefied petroleum, or natural gas;
- (b) No. 30 Storage of lubricating oils;

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- (c) No. 4      Unheated storage of VOC with an initial boiling point of 300 °F (149 °C) or greater- Two propylene Glycol storage areas in D Warehouse and Bldg 17; Two degreasers.
- (d) No. 4      Storage of Numbers 1, 2, 4, 5, and 6 fuel oil and aviation jet engine fuel- Two no. 2 oil tanks and two diesel fuel tanks.
- (e) No. 1      Storage of motor vehicle gasoline and having individual tank capacities of 2,000 gallons (7.6 cubic meters) or less;
- (f) No. 2      The storage of VOC normally used as solvents, diluents, thinners, inks, colorants, paints, lacquers, enamels, varnishes, liquid resins, or other surface coatings and having individual capacities of 2,000 gallons (7.6 cubic meters) or less- Number refers to storage location (D warehouse and ECF maintenance);
- (9)    ✓      First aid and emergency medical care provided at the facility, including related activities such as sterilization and medicine preparation used in support of a manufacturing or production process;
- (10)   ✓      Potable water treatment equipment, not including air stripping equipment;
- (11)   ✓      Comfort air conditioning subject to requirements of Title VI of the Clean Air Act;
- (12)   ✓      Natural draft hoods or natural draft ventilators that exhaust air pollutants into the ambient air from manufacturing/industrial or commercial processes;
- (13)   ✓      Laboratory fume hoods and vents;

*For the following, attach additional pages as necessary:*

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- (14) any other emissions unit at the facility which is not subject to an applicable requirement of the Clean Air Act (list and describe):

No.   2   Ammonia Cooling Systems (Building 48 and Warehouse M)

No.   1   10,000 gallon neutralization tank for demineralization system



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**SECTION VI STATE-ONLY ENFORCEABLE CONDITIONS**

The Diageo facility is subject to the following State-only enforceable requirements:

1. Applicable Regulations:

- (A) COMAR 26.11.06.08 and 26.11.06.09, which generally prohibit the discharge of emissions beyond the property line in such a manner that a nuisance or air pollution is created.
- (B) COMAR 26.11.15.05, which requires that the Permittee implement "Best Available Control Technology for Toxics" (T – BACT) to control emissions of toxic air pollutants.
- (C) COMAR 26.11.15.06, which prohibits the discharge of toxic air pollutants to the extent that such emissions will unreasonably endanger human health

2. Record Keeping and Reporting:

The Permittee shall submit to the Department, by April 1 of each year during the term of this permit, a written certification of the results of an analysis of emissions of toxic air pollutants from the Permittee's facility during the previous calendar year. The analysis shall include either:

- (a) a statement that previously submitted compliance demonstrations for emissions of toxic air pollutants remain valid; or
- (b) a revised compliance demonstration, developed in accordance with requirements included under COMAR 26.11.15 & 16, that accounts for changes in operations, analytical methods, emissions determinations, or other factors that have invalidated previous demonstrations.